IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

WP(C).No. 10105 of 2007(C)

PETITIONER:

KOMALAM K.P,L.PS.A KUNNAVIL L.P SCHOOL,
ALAVIL P.O,KANNUR DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.C.P.SIVADASAN NAIR

RESPONDENTS:

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1. STATE OF KERALA REP,BY ITS SECRETARY TO GOVERNMENT,DEPT.OF GENERAL EDUCATION,GOVT. SECRETARIAT,THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,KANNUR/

3. THE ASSISTANT EDUCATIONAL OFFICER, PAPPINISSERI,PAPPINISSERI P.O,KANNUR DISTRICT.

4. THE MANAGER,KUNNAVIL L.P SCHOOL, ALAVIL P.O,KANNUR DISTRICT.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.10105 OF 2007

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Dated this the 23rd day of March, 2007

JUDGMENT

Petitioner challenges Exts.P6, P6(a), P6(b) and P6(c) proceedings of the third respondent. Case of the petitioner in brief is as follows:

Petitioner joined service as LPSA on 27.6.1988. While continuing in service she got admitted for B.Ed Course. Ext.P1 order was issued by the first respondent sanctioning leave without allowance for 258 days for study purpose under Rule 91 of Part I KSR. Ext.P2, according to the petitioner, provides for counting the period of training undergone both by the Government as well as Aided School Teachers for higher studies, for annual increment. However, by the impugned orders it has been refused. On the basis of Ext.P3 Government Order the petitioner is denied relief of increment by counting the period of leave. Petitioner relies on the decision reported in **Deepika v. State of Kerala** (2007(1) K.L.T. 71). Petitioner has preferred Ext.P8 before the first respondent.

2. Heard Government Pleader also.

The writ petition is disposed of directing the first respondent to

consider and take a decision on Ext.P8 in accordance with law and taking note of the decision in **Deepika's Case** within a period of two months from the date of receipt of a copy of this judgment. I leave open the contentions of the petitioner.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.